

PROB 12C
(7/93)

**United States District Court
for**

District of New Jersey

AMENDED

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Anthony Benson

Docket Number: 08-00008-001

PACTS Number: 51215

Name of Sentencing Judicial Officer: HONORABLE WILLIAM J. MARTINI
UNITED STATES DISTRICT JUDGE

Date of Original Sentence: 02/04/2009

Original Offense: Felon in Possession of a Firearm

Original Sentence: 38 months imprisonment; 3 years supervised release.

Type of Supervision: supervised release

Date Supervision Commenced: 8/23/10

Assistant U.S. Attorney: Sandra Moser, 970 Broad Street, Room 502, Newark, New Jersey 07102, (973) 645-2700

Defense Attorney: Linda Foster, 1002 Broad Street, Newark, NJ 07102 (973) 645-6347

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
|---|---|
| 1 | The offender has violated the standard supervision condition which states 'You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.' |
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On January 10, 2012, the offender admitted to heroin and cocaine use during the previous seven-month period. He indicated his heroin use escalated to a daily habit.

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| 2 | The offender has violated the special supervision condition which states 'You shall refrain from the illegal possession and use of drugs, including prescription medication not prescribed in your name, and the use of alcohol, and shall submit to urinalysis or other forms of testing to ensure |
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compliance. It is further ordered that you shall submit to evaluation and treatment, on an outpatient or inpatient basis, as approved by the U.S. Probation Office. You shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged by the Court. You shall alert all medical professionals of any prior substance abuse history, including any prior history of prescription drug abuse. The Probation Officer shall supervise your compliance with this condition.'

Benson failed to conduct a phone screening with an inpatient drug program facility on three separate occasions, despite our repeated directives. Additionally, Benson was later terminated from the inpatient program after engaging in a physical altercation with another client.

- 3 The offender has violated the supervision condition which states '**You shall report to the probation officer as directed by the Court or the probation officer, and shall submit a truthful and complete written report within the first five days of each month.**'

The offender failed to report to our office on March 13, 2012 and April 10, 2012, as directed. He was considered an absconder from supervised release.

- 4 The offender has violated the supervision condition which states "**You shall not commit another federal, state, or local crime.**"

On December 6, 2012, Benson was arrested in Irvington, New Jersey, for a burglary/theft which occurred on May 5, 2012. The offender allegedly entered a storage room and took a video camera, a Dewalt sawzall, a drain snake, and a crate of copper and brass fittings. The offender is presently in custody and the charges are pending in Irvington Municipal Court.

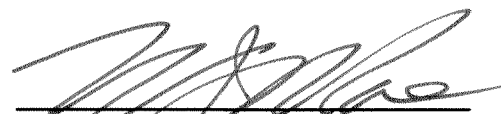
I declare under penalty of perjury that the foregoing is true and correct.

By: Kellyanne Kelly Maureen Kelly
Senior U.S. Probation Officer
Date: 12/14/12

Digitally signed by Maureen Kelly
DN: c=US, o=U.S. Probation Office,
ou=U.S. Probation Office, email=Maureen.Kelly@usdoj.gov, cn=Maureen Kelly

THE COURT ORDERS:

- ☒ The Issuance of a Warrant
☐ The Issuance of a Summons. Date of Hearing: _____
☐ No Action
☐ Other



 Signature of Judicial Officer
 12/17/12

 Date